

Remarks/Arguments

In the Office Action, the Examiner noted that claims 9-14 are pending in the application and that claims 9-10 stand rejected. The Examiner further noted that claims 11-14 are objected to. By this response, the Applicants' claims 10, 11, and 13 are cancelled and claims 9, 12, and 14 are amended to more clearly define the invention of the Applicants.

In view of the amendments presented above and the following discussion, the Applicants respectfully submit that none of the claims, now presently in the application, are anticipated under the provisions of 35 U.S.C. § 102. Thus, the Applicants believe that all of these claims are now in allowable form.

Objections

A. Drawings

Figures 1, 3 and 4

The Examiner objected to the Applicants' Figures 1, 3 and 4, because reference characters '18' and '20' of Fig. 1 and reference characters 't₁₁' and 't₁₂' of Figs 3 and 4 are not mentioned in the Applicants' description.

In response, the Applicants are submitting herewith, Replacement Figures 1, 3 and 4, which do not include reference characters '18' and '20' in Fig. 1 and reference characters 't₁₁' and 't₁₂' in Figs 3 and 4. Having done so, the Applicants respectfully request that the Examiner's objection to the Applicants' Figures 1, 3 and 4 be withdrawn.

B. Specification

The Examiner objected to the Applicants' Specification for not having appropriate section headings.

In response, the Applicants have herein amended the Applicants' Specification to include appropriate section headings as requested by the Examiner. Having done so, the Applicants respectfully request that the Examiner's objection to the Applicants' Specification be withdrawn.

Rejections

A. 35 U.S.C. § 102

The Examiner rejected the Applicants' claims 9-10 under 35 U.S.C. § 102(e) as being anticipated by Morgan (US Patent No. 6,567,134). The rejection is respectfully traversed.

Explanation of the Applicant's amendments :

- 1) Allowable claim 12 depending on claim 11 which itself depends on claim 9 has been redrafted into an independent claim.
- 2) Allowable claim 14 depending on claim 13 which itself depends on claim 9 has been redrafted into an independent claim.

Claim 9 has been amended into the same scheme as claims 12 and 14, by incorporating the feature of claim 10, and by adding the following features :

- means of reception of a video signal;
- (means of modulation) ... as a function of the received video signal;
- means of determination of the hue of at least one of said primary colours as a function of the received video signal : *(see support page 3, lines 5-6 – see original claim 4 as filed)*.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1983)) (emphasis added). The Applicants respectfully submit that Morgan absolutely fails to teach each and every element of at least the Applicants' independent claims and in particular the Applicants' amended, independent claim 9.

More specifically, the Applicant's amended, independent claim 9, with reference numbers added for clarity, specifically recites:

9. Display device comprising:
- means of reception of a video signal;
 - means of periodic generation of successive coloured beams taking successively at each period a plurality of determined primary colours; and
 - means of modulation of each of said coloured beams for generating during a determined duration an image to be displayed in each of said determined primary colours as a function of the received video signal;
 - means for modifying the determined primary colours by varying the duration of at least one of the distinct colours taken by each of the coloured beams; and
 - means of determination of the hue of at least one of said primary colours as a function of the received video signal;
 - wherein each of said determined primary colours is obtained as a result of at least two distinct colours taken successively by the colour beam during the determined duration of modulation of the colour beam for generating an image in the primary colour.

The Applicants submit that Morgan discloses a display device including a means of reception (502) of a video signal, a means (color wheel to sequentially pass primary colours to a DMD) of periodic generation of successive coloured beams (M-R, Y-G, C-B) taking successively at each period a plurality of determined primary colours (the optical mixture of M-R, Y-G, C-B respectively) as a function of the received video signal, and a means of modulation of each of said coloured beams (figure 6: micromirror device 602) for generating during a determined duration an image to be displayed in each of said determined primary colours (see notably column 6, lines 1-4), wherein each of said determined primary colours is obtained as a result of at least two distinct colours (M and R; Y and G; C and B) taken successively by the colour beam during the determined duration of modulation of this colour beam for generating an image in this primary colour.

Referring to the Applicants' previous claim 10, the Examiner considers that the display device of Morgan comprises also means for modifying the determined primary colours by varying the duration of at least one of the distinct colours (M and/or R; Y and/or G; C and/or B) taken by each of the coloured beams when light from light source 604 traverse successively the different segments of the color wheel (it seems that the color wheel has been omitted on fig. 6). The Applicants do not see any variation of the respective durations of each segment of the color

wheel during the display of images as taught and claimed by the Applicants. That is, the Applicants respectfully disagree with the Examiner, as a man skilled in the art, although reading the passages quoted by the Examiner, cannot see any modification of the primary colours taken by the successive coloured beams in the display device of Morgan.

In addition, the Applicants submit that Morgan does not disclose means of determination of the hue of at least one of said primary colours as a function of the received video signal as taught and claimed by the Applicants.

Therefore, the Applicants submit that for at least the reasons recited above, Morgan absolutely fails to teach, suggest or anticipate each and every element of the claimed invention, arranged as in at least the Applicants' amended, independent claim 9 as required for anticipation. Therefore, the Applicants submit that claim 9 is not anticipated by the teachings of Morgan, and, as such, fully satisfies the requirements of 35 U.S.C. § 102 and is patentable thereunder.

The Applicants reserve the right to establish the patentability of each of the claims individually in subsequent prosecution.

Conclusion

The Applicants would like to thank the Examiner for pointing out allowable subject matter; however, the Applicants submit that all claims now pending in the above-identified patent application are now in allowable form.

Thus, the Applicant submits that none of the claims, presently in the application, are anticipated under the provisions of 35 U.S.C. § 102. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

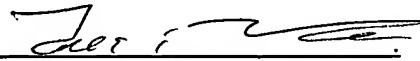
Customer No.: 24498
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Office Action dated: December 28, 2009
Response dated: June 28, 2010

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Please charge the \$1110 fee for the Petition for a Three Month Extension, and any other fees that may be due, and/or credit any overpayments, to Deposit Account No. 07-0832.

Respectfully submitted,
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JTV:pdf

Attachments: Drawing Replacement Sheets: 1, 2 and 3

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June 28, 2010

CERTIFICATE OF MAILING 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence (and any document referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below:

Date

June 28, 2010


Patricia M. Fedorowycz